

USDOT/FMCSA Issues Final Rule on Cargo Securement

On June 22, 2006, USDOT/FMCSA issued a final rule amending several cargo securement provisions of the Federal Motor Carrier Safety Regulations. The rule is effective on July 24, 2006, and has automatically been adopted into state law and is on file with the Secretary of State.

- Section 393.5: USDOT added new definitions for “crib-type trailer” and “metal coil.” The crib-type trailer is discussed below. “Metal coil” includes metal of any type (stamped, foil, leaf, forged, wire, rod or chain) that is packaged as a roll, coil, spool, wind or wrap, as well as plastic or rubber coated electrical wire and communications cable.
- Section 393.7(b)(19): USDOT updated its adoption of the National Association of Chain Manufacturers publication, “Welded Steel Chain Specifications.”
- Section 393.102: USDOT changed the wording of what devices have to meet the performance criteria – only tiedown assemblies and other attachment or fastening devices are subject to Section 393.102(a)(1), and a (2) was added to specify that the forces acting on tiedown assemblies do not exceed the working load limit for the device (previously addressed in paragraph (c)).
- Section 393.104: USDOT added wording to clarify that not any cut or crack was prohibited, but only those that reduce the performance of the tiedown. Also, subsection (f)(4), advising that tiedowns be inside the rub rail whenever practicable, was completely removed.
- Section 393.106: USDOT again re-worded this section in an attempt to clarify the working load limit calculation. The applicable part reads:

“The aggregate working load limit of tiedowns used to secure an article or group of articles against movement must be at least one-half times the weight of the article or group of articles. The aggregate working load limit is the sum of:

(1) One-half the working load limit of each tiedown that goes from an anchor point on the vehicle to an anchor point on an article of cargo;

(2) One-half the working load limit of each tiedown that is attached to an anchor point on the vehicle, passes through, over, or around the article of cargo, and is then attached to an anchor point on the same side of the vehicle.

(3) The working load limit for each tiedown that goes from an anchor point on the vehicle, through, over, or around the article of cargo, and then attaches to another anchor point on the other side of the vehicle.”

- Section 393.108: Only the heading of this section was changed.

- Section 393.110: Only editorial changes were made, the requirements remain the same.
- Section 393.116: Crib-type log trailers are permitted to operate without any tiedowns, provided all the provisions of the section are met. The definition of a crib-type trailer is specified in Section 393.5:

“Crib-type log trailer means a trailer equipped with stakes, bunks, a front-end structure, and a rear structure to restrain logs. The stakes prevent movement of the logs from side to side on the vehicle while the front-end and rear structures prevent movement of the logs from front to back on the vehicle.”

However, USDOT explained in the preamble to the final rule that the decision whether tiedowns must be used is contingent upon how the loads are loaded in the vehicle. “If the tops of the stacks of logs are relatively level, then tiedowns would not be required when the stacks of logs are transported in crib-type vehicles. Uneven loads would require tiedowns on the taller stacks, and on logs that are not held in place by other logs, bunks, or standards.”

Subsection (e) is revised to allow for longwood or shortwood to be loaded lengthwise. Shortwood may be secured by two tiedowns, or by one tiedown if forward movement is blocked. The rule also states that wrappers are not required to be attached to the vehicle.

The definition of longwood in Section 393.5 has also been revised to include utility poles.

- Section 393.118: Subsection (d) has been revised to reflect the securement methods for 3 tiers of dressed lumber. The language does not remove the requirement for a minimum of two tiedowns over each bundle that is longer than 5 feet.
- Section 393.122: Subsection (b) and (d) have been revised to address rolls with eyes vertical in a sided vehicle.
- Section 393.126: USDOT revised (b)(1) to state that all lower corners of an Intermodal container must be secured to the chassis (to ensure the container is level on the chassis).
- Section 393.132: Crushed car haulers can now use synthetic webbing to connect the chain or wire rope to the anchor point; however the webbing cannot come into contact with the crushed cars. In addition, vehicles transporting crushed cars must have a method to prevent liquids leaking from the cargo and loose parts from escaping from the bottom of the vehicle.